

Congress of the United States

Washington, DC 20515

October 27, 2022

The Honorable Billy Nolen, FRAeS
Acting Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Dear Acting Administrator Nolen,

We appreciate the opportunity to submit comment on the minimum seat dimensions necessary for passenger safety including seat pitch, width and length, especially during airplane evacuation, as directed by the Federal Aviation Administration (FAA) Reauthorization Act of 2018.

Congress sent a clear signal to the FAA in its 2018 reauthorization bill by including both Section 577 to establish minimum seat size and distance between rows of seats on commercial aircraft to protect the safety of the flying public after a notice and comment period and Section 337 to review with stakeholders the evacuation certification of transport-category aircraft used in air transportation and report the results to Congress, both to be completed within one-year.

To gather data in furtherance of the agency's implementation of Section 577, and in further compliance with Section 337, the FAA conducted simulated emergency evacuations at the Civil Aerospace Medical Institute (CAMI) in late 2019 and 2020, well after the one-year deadline. Even worse, a sample that is representative of the flying public was not used during this testing. The FAA did not use people over the age of 60, individuals under the age of 18 including lap children, individuals with disabilities including the use of wheelchairs, service animals, significantly overweight individuals, individuals whose primary language is not English, or any carry-on baggage. Unsurprisingly, when the FAA finally released results from the CAMI study in March 2022, it found that "seat size and spacing did not adversely affect the success of emergency evacuations." While these results are to be expected from such a deeply flawed study, it is concerning that they may be used as guidance for future decisions that will impact the health and safety of the flying public.

Despite the insufficient sampling in CAMI's study, value can be found in the passenger test subject surveys. Of the passenger test subjects in the CAMI study, sixty percent (60%) of the passenger test subjects believed it would be "difficult" or "very difficult" to get out of a 26-inch (pitch) seat. And nearly seventy-seven percent (76.9%) of the 712 passenger test subjects thought that such a seat would be "unsafe" or "very unsafe" on a flight two hours or longer.

The average seat pitch has dropped from 35 inches before airline deregulation in the 1970's to about 31 inches today. The average width of an airline seat has also shrunk from 18 inches to about 16 ½ inches. While seat sizes have been shrinking, the average size of Americans has been growing. According to the Centers for Disease Control and Prevention (CDC), the average man in 1960 weighed 166 pounds, and the average woman weighed 140 pounds. Now, the average man is 199.8 pounds, and the average woman is 170.8 pounds. Even within CAMI's selected non-representative sample, six participants were unable to sit in a 28-inch seat pitch, their height ranging from 5 feet, 4 inches to 6 feet 3 inches. In addition to being less comfortable, serious safety and health questions remain. For instance, doctors warn of deep vein thrombosis which can afflict passengers

who don't move their legs enough on longer flights. Smaller seat pitches reduce the ability of passengers to move their legs while seated, thus increasing the possibility of deep vein thrombosis.

We appreciate that the FAA acknowledged that the CAMI tests relied on able-bodied adult subjects under age 60 and that the results provided "useful but not necessarily definitive information, regarding the effects of seat dimensions on safe evacuations for all populations." We are encouraged that over 12,000 comments have already been filed by flying passengers around the country, many of whom have articulated the miserably dreadful experience these small seats provide. We urge the FAA to use due diligence to comprehensively analyze how minimum seat dimensions impact all passengers' health and safety, including every demographic that was not represented in the CAMI study.

As Kevin Keniston, Head of Passenger Comfort at Airbus, stated, "If the aviation industry doesn't take a stand right now, then we risk jeopardizing passenger comfort into 2045 and beyond – especially if you take into account aircraft delivery timetables combined with expected years in service – which means another generation of passengers will be consigned to seats which are based on outdated standards."

Thank you for your commitment to passenger safety and ensuring that all the aforementioned factors will be taken into consideration before promulgating a rule that will establish reasonable minimum seat dimensions on commercial aircraft.

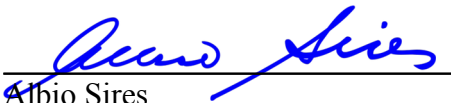
Sincerely,



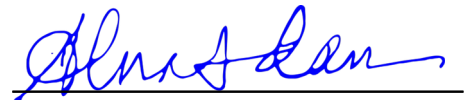
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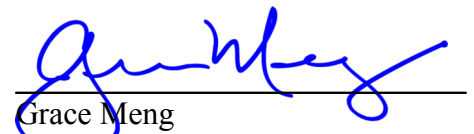
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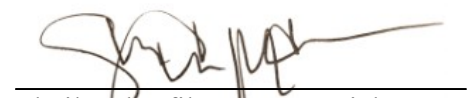
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